27th July 1964]

திரு. கே. ஏ. மதியழகன் : இவ்விதம் நடந்து வருகின்ற சட்ட மன்றத்தில் மந்திரிகள் கேள்விகளுக்குப் பதில் சொல்லும்போது, மூலக் கேள்விக்கு சொல்லுகின்ற பதில் ஒருவிதமாகவும், உப கேள்விகளுக்கு சொல்லுகின்ற பதில் வேறொரு விதமாகவும் இருக்கிறது. இவ்விதம் 22-ம் தேதி நடந்த விவாதத்தில் இருக்கிறது.

MR SPEAKER : I have disallowed the privilege matter given notice of by the hon. Member. There was no serious difference in the answer, and therefore I disallowed it. I cannot allow it to be taken up in the form of a ' point of order '.

திரு. கே. ஏ. மதியழகன் : இவ்விதம் முன்னுக்குப்பின் முரணாக இருக்கிறது. இதன் பேரில் தாங்கள் தீர்ப்பு வழங்க வேண்டும் என்று கேட்டுக் கொள்வதற்காகத்தான் இதை கூறுகிறேன்.

MR. SPEAKER : The hon. Member gave notice of a privilege matter with regard to this in writing. As there was no material to admit it, I have not given my consent.

SRI K. A. MATHIALAGAN : I am not raising a privilege issue. It is only for consideration . . .

MR. SPEAKER : In some form or other, the hon. Member wants to speak on the subject.

SRI K. A. MATHIALAGAN : It is not my intention to speak on the subject. With great respect to the Chair, I want only a ruling to that effect, Sir.

MR. SPEAKER : I have already given my ruling to the effect that it is not a matter of ' breach of privilege ' or for ' a point of order.'

IV. ANNOUNCEMENT.

(1) THE MADRAS PUBLIC BUILDINGS (LICENSING) BILL, 1964.

MR. SPEAKER : I have to announce to the House that the Governor has given his recommendation for the introduction in and consideration by the Madras Legislative Assembly of the Madras Public Buildings (Licensing) Bill, 1964.

V.—GOVERNMENT BILLS.

(1) THE MADRAS PUBLIC BUILDINGS (LICENSING) BILL, 1964.

* THE HON. SRI R. VENKATARAMAN : Sir, I move—

" That the concurrence of the Legislative Council be obtained for the setting up of a Joint Select Committee of both the Houses, consisting of 21 Members (14 Members of the Legislative Assembly and 7 Members of the Legislative Council) to consider the Madras

[Sri R. Venkataraman] [27th July 1964

Public Buildings (Licensing) Bill, 1964 (L.A. Bill No. 31 of 1964) and that the following Members of the Legislative Assembly be selected to serve on such a Joint Select Committee :—

The Hon. Srimathi JOTHI VENCATACHELLUM.
Sri S. RAMASWAMI NAIDU.
Sri K. T. KOSALRAM.
Sri N. RAMACHANDRA REDDY.
Sri K. P. PALANISWAMY.
Sri A. K. KALIAPPA GOUNDER.
Sri P. APPAVOO.
Srimathi T. N. ANANDANAYAKI.
Sri A. CHIDAMBARANATHA NADAR.
Sri K. A. MATHIALAGAN.
Sri M.R. KRISHNAMURTHY.
Sri S. MURUGAIYAN.
Sri SAW GANESAN.
Sri M. KALYANASUNDARAM.
The Hon. Sri R. VENKATARAMAN.

In moving this motion for referring the Madras Public Buildings (Licensing) Bill to a Joint Select Committee, I wish to explain at the outset the salient features of the Bill.

The hon. Members of this House are aware that the collapse of the school buildings in Madurai recently took away the lives of several children and resulted in injury to several others. This has disclosed that some of the private buildings intended to accommodate large number of people are not maintained in a proper condition. Government consider that officers of the Government should be empowered by statute to exercise control over such buildings and that a building should be permitted to be used as a public building such as a school or college only after a licence is obtained therefor from a competent authority who shall satisfy itself that the building is structurally sound before the licence is granted.

The Madras Places of Public Resort Act, 1888 (Madras Act II of 1888) which relates to grant of licences for places and buildings used for public resort and entertainment does not expressly provide that structural soundness of the building is a condition precedent for the grant of a licence. Under the said Act, the licence is to be granted by the executive authority in the municipal town, and by a Revenue Officer not below the rank of Tahsildar in other areas. That Act applies only to the areas outside the City of Madras. So far as the City of Madras is concerned, under sections 34 and 35 of the Madras City Police Act, 1888, a licence is required for using a place or building for public entertainment or resort or as an eating-house, coffee-house, etc. The licence has to be granted by the commissioner of Public under section 36. The said sections do not expressly provide that the structural soundnes of the building is a condition precedent for the grant of a licence.

The Government have, therefore, decided that there should be a separate law providing for the grant of licences for buildings which are proposed to be used as schools, colleges, hospitals, libraries, hotels, etc. Accordingly, the Madras Public Buildings (Licensing) Bill, 1964 (L.A. Bill No. 31 of 1964) provides for the grant of licences for the use of any building as public building by the competent authority, after satisfying itself about the structural soundness of the building in respect of which application is made for licence. The licence has to be obtained within a period of six months from the date of the publication of the proposed Act. The licence will be valid for a period of three years or such shorter period as may be specified in the licence. The licence may be renewed subject to the same terms and conditions. A temporary licence may also be obtained for a period of three months. Provision has also been made in the Bill empowering the licensing authority to cancel or suspend the licence granted by it on the ground that the licence has been obtained by misrepresentation or fraud or that the licensee has contravened or failed to comply with any of the provisions of the proposed Act or the rules made thereunder or the licensee has contravened or failed to comply with any of the conditions of the licence or that the licensee has failed to comply with an order passed under section 8 of the proposed Act preventing the further use of the public building or that the public building can no longer be safely used for the purpose for which the licence was granted.

The Bill also contains provision for appeal against the refusal to grant or renew a licence or cancelling or suspending a licence by the competent authority. The Board of Revenue has power to revise either on its own motion or on the application made by the owner of the building which is to be used or which is being used as a public building to call for and examine the records of any proceeding to satisfy itself as to the regularity of such proceeding or the correctness, legality or propriety of any decision or order passed by any authority under the proposed Act and to modify, annul, reverse or remit for reconsideration any order so passed by any authority under the proposed Act.

The Bill also contains provision empowering the Government to grant exemption if they are of opinion that it will not be in the public interest to apply all or any of the provisions of the proposed Act to any class of public buildings, subject to such conditions and restrictions, as they may, impose. Provision is also made making it obligatory on the authority or officer appointed or having jurisdiction under any other Act or law and is empowered to inspect any building in the discharge of its or his functions under that Act or law to make a report in the prescribed form to the competent authority having jurisdiction over the area in which the public building is situated, if such authority or officer is satisfied after inspecting any pubilc building that it is not structurally sound.

Sir, I request the House to accept the motion for referring the Bill to a Joint Select Committee.

[27th July 1964

MR. SPEAKER : The question is—

' That the concurrence of the Legislative Council be obtained for the setting up of a Joint Select Committee of both the Houses, consisting of 21 Members (14 Members of the Legislative Assembly and 7 Members of the Legislative Council) to consider the Madras Public Buildings (Licensing) Bill, 1964 (L.A. Bill No. 31 of 1964) and that the following Members of the Legislative Assembly be selected to serve on such a Joint Select Committee :—

The Hon. Srimathi JOTHI VENCATACHELLUM.
Sri S. RAMASWAMI NAIDU.
Sri K. T. KOSALRAM.
Sri N. RAMACHANDRA REDDY.
Sri K. P. PALANISWAMY.
Sri A. K. KALLAPPA GOUNDER.
Sri P. APPIVOO.
Srimathi T. N. ANANDANAYAKI.
Sri A. CHIDAMBARANATHA NADAR.
Sri K. A. MATHIALAGAN.
Sri M. R. KRISHNAMURTHY.
Sri S. MURUGAIYAN.
Sri SAW. GANESAN.
Sri M. KALYANASUNDARAM.
The Hon. Sri R. VENKATARAMAN.

The motion was put and carried.

SRI K. A. MATHIALAGAN : Sir, I want to speak on this Bill.

MR. SPEAKER : The motion has already been carried. Probably the hon. Member was then thinking about something else. I waited for half a minute and no Member raised his hand or showed any anxiety to speak. So what can I do now? I pass on to the next item.

(2) THE MADRAS PUBLIC TRUSTS (REGULATION OF ADMINISTRATION OF AGRICULTURAL LANDS) AMENDMENT BILL, 1964.

*THE HON. SRI R. VENKATARAMAN : Sir, I beg leave to introduce the Madras Public Trusts (Regulation of Administration of Agricultural Lands) Amendment Bill, 1964 [a], and move—

' That the ill be taken into consideration.'

"Inam land" as defined in clause (13) of section 2 of the Madras Public Trusts (Regulation of Administration of Agricultural Lands) Act, 1961 (Madras Act 57 of 1961) includes *inter clia* any land in any village specified in Schedule I to that Act. This would mean that every time a village is to be included in the Schedule an amendment to the Act will have to be brought before the Legis-

a Published in the *Fort St. George Gazette* Extraordinary, dated 10th July 1964.

ALONE TRIUMPHS